

**Federal Defenders
OF NEW YORK, INC.**

Southern District
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By ECF and Email

Honorable Vernon S. Broderick
United States District Judge
Southern District of New York
40 Centre Street
New York, NY 10007

**Re: United States v. Sayfullo Saipov
(S1) 17 Cr. 722 (VSB)**

Dear Judge Broderick:

The parties have considered the virtual alternative that the Court proposed earlier today, specifically, proceeding with *voir dire* via Microsoft Teams for the next few days, between now and when Your Honor is allowed to return to the courthouse pursuant to the SDNY COVID protocols.

The defense does not object to proceeding in this manner. The Government takes the following position: While we have not identified any legal precedent directly precluding the Court from proceeding by Teams, we also have not identified any authority directly addressing remote *voir dire*. We also believe the defendant should be allocuted on this issue were we to proceed with the use of Teams. Given that, we respectfully request that the Court not proceed by Teams.

Please let us know how the Court plans to proceed. Even if we do not proceed with *voir dire* tomorrow, we ask that the Court assemble the parties via Microsoft Teams to discuss the potential hardships from the contacted, qualified jurors that Chambers emailed about this afternoon.

Respectfully submitted,

/s/

David Patton
Counsel for Sayfullo Saipov